

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:

Dorothy Annabeth Hurt
Debtor.

)
) CASE NO. 19-00090-RLM-7
)

LIMITED OBJECTION AND MOTION TO CLARIFY DEBTOR

Creditor, First Merchants Bank, by and through its undersigned counsel, to file its Limited Objection and Motion to Clarify Debtor. In support of this filing, First Merchants states:

1. The Plaintiff, First Merchants, is an Indiana bank maintaining a banking office at 33 W. 10th Street, Suite 100, Anderson, Indiana 46016.
2. Showline Drywall, LLC (“Showline Drywall”), maintains a principal office at 8240 Indy Lane, Indianapolis, Indiana 46214, and has identified its Registered Agent being Steven Hunt, 8240 Indy Lane, Indianapolis, Indiana 46214, with the Indiana Secretary of State.
3. Showline Drywall and Showline Properties, LLC (“Showline Properties”) executed a Promissory Note (“First Note”) dated November 2, 2016, in the principal amount of Three Hundred Ninety-Five Thousand and 00/100 Dollars (\$395,000.00), identifying Showline Drywall and Showline Properties, as the borrowers.
4. Showline Drywall and Showline Properties executed a second Promissory Note (“Second Note”) dated November 2, 2016, in the principal amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00), identifying Showline Drywall and Showline Properties, as the borrowers.
5. The Petition filed by the Debtor, Dorothy Annabeth Hurt, states in Part I(4) that she has used “FDBA Showline Drywall, LLC” as a business name in the past eight (8) years.

6. Showline Drywall, LLC, is not a “DBA,” rather it is an Indiana limited liability company, which has been administratively dissolved, and which maintains certain obligations to First Merchants.

7. The Showline Drywall, LLC, obligations to First Merchants should not be, and are not, included in this Case.

8. First Merchants is entitled to an Order clarifying that Showline Drywall, LLC, is not a debtor in this Case and that the obligations of Showline Drywall, LLC, are not subject to discharge in this Case.

WHEREFORE, First Merchants Bank, by counsel, respectfully requests this Court enter an Order clarifying that Showline Drywall, LLC, is not a debtor in this Case and that the obligations of Showline Drywall, LLC, are not subject to discharge in this Case. First Merchants requests all other just and proper relief.

MERCER BELANGER

A handwritten signature in blue ink, appearing to read "P. Carroll".

PAUL J. CARROLL, #26296-49
MERCER BELANGER
One Indiana Square, Suite 1500
Indianapolis, IN 46204
(317) 636-3551
(317) 636-6680 fax

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing has been served upon the following by this court's electronic filing system on the 25th day of January, 2019:

Mark S. Zuckerberg
429 N. Pennsylvania Street, Suite 100
Indianapolis, Indiana 46204

Ronald J. Moore
Office of the U.S. Trustee,
101 W. Ohio Street, Suite 1000
Indianapolis, IN 46204
Ronald.Moore@usdoj.gov

James T. Young
Rubin & Levin, P.C.
135 N. Pennsylvania Street, Suite 1400
Indianapolis, Indiana 46204



Paul J. Carroll

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE
USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.**